

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

JUSTIN MARCUS ZINMAN,

Plaintiff,

v.

LLAMAS, *et al.*,

Defendants.

Case No. 1:24-cv-00549-JLT-BAM (PC)

ORDER DIRECTING CLERK OF COURT TO  
SERVE PLAINTIFF WITH COPY OF  
MOTION TO WITHDRAW/CLOSE CASE

(ECF No. 15)

ORDER DIRECTING PLAINTIFF TO FILE  
RESPONSE TO MOTION TO  
WITHDRAW/CLOSE CASE

**THIRTY (30) DAY DEADLINE**

Plaintiff Justin Marcus Zinman ("Plaintiff") is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983.

On September 6, 2024, Plaintiff filed a motion to withdraw/close case. (ECF No. 15.) On September 10, 2024, the action was therefore terminated, with prejudice, by operation of law and without further order from the Court, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). (ECF No. 17.)

On September 20, 2024, Plaintiff filed a motion to not close case, in which he does not appear to have knowledge of the filing of the motion to withdraw/close case. (ECF No. 18.) On September 30, 2024, Plaintiff also filed a motion to reconsider, suggesting that if the Court found that the supposed motion may have been written by someone other than Plaintiff, or that the

1 purpose of the motion was to support a framework for unlawful activities and/or was done in a  
2 mocking manner, Plaintiff requests that the case remain open. (ECF No. 19.)

3 Based on Plaintiff's recent filings, the Court finds it appropriate to direct the Clerk of the  
4 Court to serve Plaintiff with a copy of the September 6, 2024 motion to withdraw/close case, and  
5 for Plaintiff to file a response thereto. At this time, the Court will not rule on Plaintiff's motions  
6 to not close case and for reconsideration, and the case remains closed.

7 Accordingly, IT IS HEREBY ORDERED as follows:

- 8 1. The Clerk of the Court is DIRECTED to serve a copy of Plaintiff's motion to  
9 withdraw/close case, (ECF No. 15), on Plaintiff at his current address of record; and
- 10 2. Within **thirty (30) days** from the date of service of this order, Plaintiff shall file a  
11 response to the September 6, 2024 motion to withdraw/close case.

12  
13 IT IS SO ORDERED.

14 Dated: October 1, 2024

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE